THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.10362 OF 2007

AND

WRIT APPEAL NO.1009 OF 2007

Dated 4th December, 2007

WRIT APPEAL NO.1009 OF 2007

Between:

Kammari Rangaiah
And others …Appellants

and

Kammari Vittalaiah and others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.10362 OF 2007
AND
WRIT APPEAL NO.1009 OF 2007

COMMON JUDGMENT (Per Hon'ble Sri Bilal Nazki, the Acting Chief Justice):

This writ appeal is filed against order dated 18-09-2007 passed by the learned Single Judge in WVMP No.1320 of 2007 in WPMP No.13083 of 2007 in W.P.No.10362 of 2007, wherein the learned Single Judge made the stay granted earlier absolute and dismissed the WVMP.

The parties would hereinafter be referred to as they are arrayed in the writ petition.

The order dated 09-03-2007 passed by the Joint Collector, Ranga Reddy District, Lakdikapool, Hyderabad–the first respondent is under challenge in Writ Petition No.10362 of 2007 mainly on the ground that the rules of natural justice have been violated as the writ petitioners were not given notice before the order was passed by the first respondent. The learned Single Judge, while entertaining the writ petition, granted stay and thereafter vacate stay petition being WVMP No.1320 of 2007 was filed by respondents 3 to 10, which was dismissed. Hence this writ appeal.

Learned counsel for the parties have agreed that the writ

petition itself can be disposed of by setting aside the order dated 09-03-2007 and directing the Joint Collector, Ranga Reddy District, Lakdikapool, Hyderabad-the first respondent to decide the matter afresh after hearing the writ petitioners and also the respondents.

Therefore, the order dated 09-03-2007 impugned in the writ petition is set aside and the first respondent is directed to decide the matter afresh after hearing the writ petitioners and also the respondents. With regard to the possession, *status quo*, as it stands today, shall be maintained by the parties till the order of the first respondent. The first respondent shall decide the matter within a period of one month from the date of receipt of a copy of this order.

The writ petition as well as the writ appeal are accordingly disposed of. No order as to costs.

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Bilal Nazki, ACJ

Dated 4th December, 2007

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Ramesh Ranganathan,J

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